

Appl. No. 08/759,108

Terminal Disclaimer dated February 17, 2005

Reply to Office Action of November 17, 2004

In the United States Patent and Trademark Office

Applicants:	Jian Qin et al.	Docket No.:	12975
Serial No.:	08/759,108	Group:	3761
Confirmation No:	6757	Examiner:	Reddick, Marie L.
Filed:	December 2, 1996	Date:	February 17, 2005
For:	ABSORBENT COMPOSITION		

Terminal Disclaimer

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Present Application

1. Kimberly-Clark Worldwide, Inc., doing business at 401 North Lake Street, Neenah, Wisconsin, 54956, is the assignee of the entire right, title and interest in and to the above-referenced present pending U.S. patent application serial number 08/759,108 filed on December 2, 1996 for "ABSORBENT COMPOSITION".
2. Assignment of the inventors' rights in present patent application serial number 08/759,108 to Kimberly-Clark Corporation is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 8341, Frame 0725. By way of a conveyance agreement entered into as of November 30, 1996 by and between Kimberly-Clark Corporation and Kimberly-Clark Worldwide, Inc., Kimberly-Clark Corporation assigned the entire right, title and interest in and to the above-referenced present pending U.S. patent application serial number 08/759,108 to Kimberly-Clark Worldwide, Inc. A confirmatory assignment has been recorded in the U.S. Patent and Trademark Office at Reel 8519, Frame 0919.

Commonly Assigned Patent

1. Kimberly-Clark Worldwide, Inc. is also the assignee of the entire right, title and interest in and to copending U.S. patent number 6,639,120 issued on October 28, 2003 for "STRUCTURE HAVING BALANCED pH PROFILE".
2. Assignment of the inventors' rights in U.S. patent number 6,639,120 to Kimberly-Clark Worldwide, Inc. is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 9588, Frame 0772.

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Right of Assignee to Prosecute

Kimberly-Clark Worldwide, Inc. certifies:

- (a) that the evidentiary documents have been reviewed; and
- (b) that to the best of Kimberly-Clark Worldwide, Inc.'s knowledge and belief, title of present U.S. patent application serial number 08/759,108 is in Kimberly-Clark Worldwide, Inc.

Terminal Disclaimer

1. Kimberly-Clark Worldwide, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present U.S. patent application serial number 08/759,108, which would extend beyond the expiration date of the full statutory term, including any applicable term extension, defined in 35 U.S.C. 154 and 156 for U.S. patent number 6,639,120.
2. Kimberly-Clark Worldwide, Inc. hereby agrees that any patent granted upon present U.S. patent application serial number 08/759,108 shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to U.S. patent number 6,639,120. This agreement shall run with any patent granted upon present U.S. patent application serial number 08/759,108 and shall be binding upon Kimberly-Clark Worldwide, Inc., its successors and/or assigns.

Exceptions to Terminal Disclaimer

In the event that, after the filing of this Terminal Disclaimer, U.S. patent number 6,639,120:

- (a) expires for failure to pay a maintenance fee;
- (b) is held unenforceable;
- (c) is found invalid by a court of competent jurisdiction;
- (d) is statutorily disclaimed in whole;
- (e) is terminally disclaimed under 37 C.F.R. 1.321(a);
- (f) has all of its claims canceled in a reexamination certificate; or
- (g) is otherwise not deemed to provide the rights conveyed by 35 U.S.C. 154 prior to the expiration of its full statutory term;

Kimberly-Clark Worldwide, Inc. specifically does not disclaim any terminal part of any patent granted on the present U.S. patent application serial number 08/759,108 prior to the expiration date of the term defined in 35 U.S.C. 154 and 156 including any term extensions as applicable to any patent granted on U.S. patent 6,639,120.

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Fee

Pursuant to 37 C.F.R. 1.321(c)(1), please charge the \$110.00 fee due in accordance with 37 C.F.R. 1.20(d) to Kimberly-Clark Worldwide, Inc.'s deposit account number 11-0875. Please charge any additional fees which are due or credit any overpayment to deposit account number 11-0875.

The undersigned is an attorney of record in the present application having serial no.08/759,108.

Respectfully submitted,

KIMBERLY-CLARK WORLDWIDE, INC.

JIAN QIN ET AL.

By:


Bryan R. Rosiejka

Reg. No. 55,583

Date: February 17, 2005

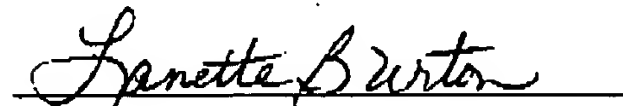
CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on February 17, 2005.

Typed or printed name of person signing this certificate:

Lanette Burton

Signature:



Kimberly-Clark Worldwide, Inc.

Neenah, Wisconsin 54956

(920) 721-2000

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Provisional Terminal Disclaimer dated February 17, 2005

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2. Assignment of the inventors' rights in present patent application serial number 08/759,108 to Kimberly-Clark Corporation is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 8341, Frame 0725. By way of a conveyance agreement entered into as of November 30, 1996 by and between Kimberly-Clark Corporation and Kimberly-Clark Worldwide, Inc., Kimberly-Clark Corporation assigned the entire right, title and interest in and to the above-referenced present pending U.S. patent application serial number 08/759,108 to Kimberly-Clark Worldwide, Inc. A confirmatory assignment has been recorded in the U.S. Patent and Trademark Office at Reel 8519, Frame 0919.

Copending Commonly Assigned Application

1. Kimberly-Clark Worldwide, Inc. is also the assignee of the entire right, title and interest in and to copending U.S. patent application serial number 10/627,061 filed on July 25, 2003 for "STRUCTURE HAVING BALANCED PH PROFILE".
2. Assignment of the inventors' rights in copending patent application serial number 10/627,061 to Kimberly-Clark Worldwide, Inc. is evidenced by an assignment document which has been recorded in the U.S. Patent and Trademark Office at Reel 9588, Frame 0772.

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- (a) that the evidentiary documents have been reviewed; and
- (b) that to the best of Kimberly-Clark Worldwide, Inc.'s knowledge and belief, title of present U.S. patent application serial number 08/759,108 is in Kimberly-Clark Worldwide, Inc..

Provisional Terminal Disclaimer

1. In the event that a patent based upon copending U.S. patent application serial number 10/627,061 issues prior to any patent based upon the present U.S. patent application serial number 08/759,108, Kimberly-Clark Worldwide, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present U.S. patent application serial number 08/759,108, which would extend beyond the expiration date of the full statutory term, including any applicable term extensions, defined in 35 U.S.C. 154 and 156 for said earlier issuing patent.
2. Kimberly-Clark Worldwide, Inc. hereby agrees that any patent granted upon present U.S. patent application serial number 08/759,108 shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to copending U.S. patent application serial number 10/627,061 and any patent(s) issuing therefrom. This agreement shall run with any patent granted upon present U.S. patent application serial number 08/759,108 and shall be binding upon the Kimberly-Clark Worldwide, Inc., its successors and/or assigns.

Exceptions to Provisional Terminal Disclaimer

In the event that, after the filing of this Terminal Disclaimer, any patent based upon copending U.S. patent application serial number 10/627,061:

- (a) expires for failure to pay a maintenance fee;
- (b) is held unenforceable;
- (c) is found invalid by a court of competent jurisdiction;
- (d) is statutorily disclaimed in whole;
- (e) is terminally disclaimed under 37 C.F.R. 1.321(a);
- (f) has all of its claims canceled in a reexamination certificate; or
- (g) is otherwise not deemed to provide the rights conveyed by 35 U.S.C. 154 prior to the expiration of its full statutory term;

Kimberly-Clark Worldwide, Inc. specifically does not disclaim any terminal part of any patent granted on the present U.S. patent application serial number 08/759,108 prior to the expiration

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date of the term defined in 35 U.S.C. 154 and 156 including any term extensions as applicable to any patent granted on copending U.S. patent application serial number 10/627,061.

Fee

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